

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER 13799US
INTERNATIONAL APPLICATION NO. PCT/US2004/000555	INTERNATIONAL FILING DATE 10 Jan 2004 (10.01.2004)	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/541684</b>
TITLE OF INVENTION FLUID CONTAINER FOR ELECTROHYDRODYNAMIC SPRAY DEVICE AND METHOD OF USING SAME		PRIORITY DATE CLAIMED 10 Jan 2003 (10.01.2003); 11 Jan 2003 (11.01.2003); 12 June 2003 (12.06.2003)
APPLICANT(S) FOR DO/EO/US GRAHAM, Brian; HARPHAM, R. Reade; ULRICH, Michael; MOSHOLDER, Michael B.; PIATT, Beverly A.; RIGLING, Maria C.; ROSENBERG, Dov S.; SCHELHORN, Jean E.; JURATOVAC, Joseph A.; and		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input checked="" type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/541684</b>		INTERNATIONAL APPLICATION NO. PCT/US2004/000555		ATTORNEY'S DOCKET NUMBER 13799US	
20. Other items or information: PTO-2038 Credit Payment Form Delegation of Authority for C. Michael Gegenheimer Intl. Search Report and Written Opinion plus cited references Request to IB to Correct Applicant/Inventor's Name under 92bis					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$	300.00
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$	200.00
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
All other situations..... \$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				\$	500.00
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
TOTAL OF 21, 22 and 23 =					1,000.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	--
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	--
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	35 - 20 =	15	x \$ 50	\$	750.00
Independent claims	6 - 3 =	3	x \$200	\$	600.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	--
TOTAL OF ABOVE CALCULATIONS =				\$	2,350.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$	1,175.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	--
TOTAL NATIONAL FEE =				\$	1,175.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	--
TOTAL FEES ENCLOSED =				\$	1,175.00
				Amount to be refunded:	\$
				Amount to be charged	\$

10/541684

PTO-1390 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

## SEND ALL CORRESPONDENCE TO:

C. Michael Gegenheimer, Esq.  
Battelle Memorial Institute  
505 King Avenue  
Columbus, Ohio 43201-2693  
United States of America

C. Michael Gegenheimer  
SIGNATURE

C. Michael Gegenheimer

NAME

33,387

REGISTRATION NUMBER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
DO/EO/US  
CONCERNING SUBMISSION UNDER 35 U.S.C. 371

In re U.S. National Entry of PCT/US2004/000555 )  
Inventors: Graham, Brian *et al.* ) File No: 13799US  
Intl. Filing Date: 10 Jan 2004 )  
For: FLUID CONTAINER FOR ) Date: July 7, 2005  
ELECTROHYDRODYNAMIC SPRAY DEVICE AND )  
METHOD OF USING SAME )

CERTIFICATE OF MAILING

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The undersigned hereby certifies that the attached:

Item	No. of Sheets
PTO-1390 Transmittal Letter to DO/EO/US Concerning Submission under 35 U.S.C. 371 (in duplicate)	6
PTO-2038 Credit Card Payment Form	1
Delegation of Authority to C. Michael Gegenheimer	1
PCT/ISA/220 Notification of Transmittal of Intl. Search Report and Written Opinion	3
PCT/ISA/210 International Search Report and cited references	70
PCT/ISA/237 Written Opinion of the ISA	5
Request to IB to Correct Applicant/Inventors' Name under Rule 92bis	1
Return Receipt Postcard	1

are being deposited with the United States Postal Service as:

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in an envelope addressed to the Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date set forth below.

Brenda Block Koone  
Signature

July 7, 2005  
Date of Deposit

Brenda Block Koone  
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kooneb@battelle.org

THE INTERNATIONAL BUREAU OF WIPO

Applicant : BATTELLE MEMORIAL INSTITUTE et al.  
Intern Application No.: PCT/US04/000555  
Filing Date : 10 January 2004  
Priority : U.S. Serial No. 60/439,331 filed 10 January 2003  
U.S. Serial No. 60/439,616 filed 11 January 2003  
U.S. Serial No. 60/478,567 filed 12 June 2003  
Title : **FLUID CONTAINER FOR ELECTROHYDRO-  
DYNAMIC SPRAY DEVICE AND METHOD  
OF USING SAME**  
Agent Ref. No. : BAT 0078 PB/40078.255

VIA FACSIMILE & AIR MAIL  
(41-22) 740.14.35  
International Bureau of WIPO  
34, chemin des Colomettes  
1211 Geneva 20, SWITZERLAND

**CORRECTION OF APPLICANT/INVENTOR'S NAME  
UNDER RULE 92bis**

One of the applicants/inventors in the above-identified PCT application respectfully requests that the spelling of his family name be changed from "JURATOVAS" to - - JURATOVAC - - under Rule 92bis. He is the 9th named applicant/inventor on the PCT Request form. Please note that this is not a change of applicant/inventor, but a request to correct due to a typographical error.

Respectfully submitted,

DINSMORE & SHOHL, LLP

By   
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Date: 10 February 2004

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